

1 ERIC J. TROUTMAN (State Bar No. 229263)  
ejt@severson.com

2 IVETTE ZAMORA (State Bar No. 286243)  
iz@severson.com

3 SEVERSON & WERSON  
A Professional Corporation

4 The Atrium  
19100 Von Karman Avenue, Suite 700

5 Irvine, California 92612  
Telephone: (949) 442-7110

6 Facsimile: (949) 442-7118

7 Attorneys for Defendant  
CHEX SYSTEMS, INC.

8  
9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11 ERICA SIMMONS,

12 Plaintiff,

13 vs.

14 BANK OF AMERICA  
CORPORATION AND CHEX  
15 SYSTEMS, INC.

16 Defendants.

Case No. 5:15-cv-2441

[Formerly Superior Court of California,  
County of Riverside No. RIC1512030]

**NOTICE OF REMOVAL  
PURSUANT TO 28 U.S.C. §§ 1441  
AND 1331**

Action Filed: October 5, 2015

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19 TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR  
20 THE CENTRAL DISTRICT OF CALIFORNIA AND ALL PARTIES AND THEIR  
21 ATTORNEYS OF RECORD:

22 PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1441 and 1446,  
23 Defendant Chex Systems, Inc. (“Chex Systems”) hereby removes the above-  
24 captioned action from the Superior Court of the State of California, in the County of  
25 Riverside, to the United States District Court for the Central District of California.  
26 Chex Systems alleges that it is entitled to removal pursuant to 28 U.S.C. § 1331,  
27 based upon federal question jurisdiction, as follows:  
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1           1.       Chex Systems is named in the Complaint filed on October 5, 2015, by  
2 Plaintiff Erica Simmons (“Plaintiff”) in the Superior Court of the State of California,  
3 in the County of Riverside Case No. RIC1512030, entitled *Erica Simmons v. Bank*  
4 *of America Corporation and Chex Systems, Inc.* (the “State Court Action”).

5           2.       Chex Systems has not yet filed an answer or otherwise responded to  
6 Plaintiff’s Complaint in the State Court Action.

7           3.       This notice of removal is timely under 28 U.S.C. § 1446(b) and Federal  
8 Rule of Civil Procedure, Rule 6(a) because it was filed within 30 days of the service  
9 on Chex Systems of a copy of the Complaint on October 28, 2015.

10          4.       Removal to the United States District Court for the Central District of  
11 California is proper because this is the district which embraces the county in which  
12 Plaintiff filed the State Court Action. 28 U.S.C. § 1441(a).

13          5.       This action is a civil action of which this Court has original jurisdiction  
14 under 28 U.S.C. § 1331, and is one which may be removed to this Court pursuant to  
15 the provisions of 28 U.S.C. § 1441 because it arises under the following federal  
16 statute: (1) the Fair Credit Reporting Act – 15 U.S.C. § 1681 *et. seq.* – a federal  
17 statute. Comp. ¶ 3.

18          6.       This Court has supplemental jurisdiction over all other claims asserted  
19 by Plaintiff pursuant to 28 U.S.C. § 1367(a) and 28 U.S.C. § 1441(c).

20          7.       As required by 28 U.S.C. § 1446(d), Chex Systems will provide written  
21 notice of the removal of this action to Plaintiff, and to the Riverside County  
22 Superior Court.

23          8.       Pursuant to 28 U.S.C. § 1446(a), attached as Exhibit A are accurate  
24 copies of all papers received as of November 30, 2015.

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1           WHEREFORE, Chex Systems prays that the State Court Action be removed  
2 from state court to this Court and that this Court assume jurisdiction over the action  
3 and determine it on the merits.  
4

5 DATED: November 30, 2015

Respectfully submitted,

6           SEVERSON & WERSON  
7           A Professional Corporation  
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9           By:           /s/ Ivette Zamora            
10                               Ivette Zamora  
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12           Attorneys for Defendant CHEX SYSTEMS,  
13           INC.  
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